

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ALABAMA**

BROOKE BOGGS,

Plaintiff,

v.

A RESTAURANT GROUP, L.L.C.,

Defendant.

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CASE NO.: 1:25-CV-00226

ANSWER

Defendant, A RESTAURANT GROUP, L.L.C., by and through undersigned counsel, hereby answers Plaintiff's complaint, as follows:

INTRODUCTION

1. No response required.
2. No response required.

PARTIES

3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Admitted.
9. Admitted.
10. Admitted.

11. Admitted.

12. Admitted.

JURISDICTION AND VENUE

13. Admitted.

14. Admitted.

15. Defendant agrees that venue lies with this court.

ADMINISTRATIVE PREREQUISITES

16. Defendant is without sufficient information to either Admit or deny this allegation.

17. Admitted.

18. Admitted.

19. Defendant is without sufficient information to either Admit or deny this allegation.

20. Defendant is without sufficient information to either Admit or deny this allegation.

ELSA COVERAGE

21. Admitted.

22. Admitted.

23. Admitted.

24. Admitted.

25. Admitted.

26. Admitted.

27. Admitted.

FACTUAL ALLEGATIONS

- 28. Admitted.
- 29. Admitted.
- 30. Defendant is without sufficient information to either Admit or deny this allegation.
- 31. Defendant is without sufficient information to either Admit or deny this allegation.
- 32. Admitted.
- 33. Admitted.
- 34. Admitted.
- 35. Admitted.
- 36. Denied.
- 37. Admitted.
- 38. Denied.

Defendant Unlawfully Retained Tips in Violation of the FLSA

- 39. Denied.
- 40. Denied.
- 41. Denied.
- 42. Denied.
- 43. Denied.
- 44. Denied.
- 45. Denied.
- 46. Denied.

Defendant Discriminated Against Plaintiff Because of Her Pregnancy

- 47. Denied.
- 48. Denied.
- 51. Denied.
- 52. Denied.
- 53. Denied.
- 54. Denied.
- 55. Denied.
- 56. Denied.
- 57. Denied.
- 58. Denied.
- 59. Denied.
- 60. Denied.
- 61. Denied.
- 62. Denied.
- 63. Denied.
- 64. Denied.
- 65. Denied.
- 66. Denied.
- 67. Denied.
- 68. Denied.
- 69. Denied.
- 70. Denied.
- 71. Denied.

72. Denied.

73. Denied.

74. Denied.

75. Denied.

76. Denied.

77. Denied.

78. Denied.

79. Denied.

80. Denied.

81. Denied.

82. Denied.

83. Denied.

84. Denied.

85. Denied.

86. Denied.

87. Denied.

88. Denied.

89. Denied.

90. Denied.

91. Denied.

92. Denied.

93. Denied.

94. Denied.

95. Denied.

- 96. Denied.
- 97. Denied.
- 98. Denied.
- 99. Denied.
- 100. No response required.
- 101. Admitted.
- 102. Admitted.
- 103. Admitted.
- 104. Admitted.
- 105. Admitted.
- 106. Admitted.
- 107. Denied.
- 108. Denied.
- 109. Denied.
- 110. Denied.
- 111. Denied.
- 112. Denied.
- 113. Denied.
- 114. Denied.
- 115. No response required.
- 116. Admitted.
- 117. Admitted.
- 118. Denied.
- 119. Denied.

- 120. Denied.
- 121. Denied.
- 122. Denied.
- 123. Denied.
- 124. Denied.
- 125. Denied.
- 126. Denied.
- 127. No response required.
- 128. Admitted.
- 129. Admitted.
- 130. Admitted.
- 131. Denied.
- 132. Denied.
- 133. Denied.
- 134. Denied.
- 135. Denied.
- 136. Denied.
- 137. Denied.
- 138. Denied.
- 139. Denied.
- 140. Denied.
- 141. Denied.
- 142. No response required.
- 143. Admitted.

- 144. Admitted.
- 145. Admitted.
- 146. Denied.
- 147. Denied.
- 148. Denied.
- 149. Denied.
- 150. Denied.
- 151. Denied.
- 152. Denied.
- 153. Denied.
- 154. Denied.
- 155. Denied.
- 156. Denied.
- 157. Denied.
- 158. Denied.
- 159. No response required.
- 160. Admitted.
- 161. Admitted.
- 162. Denied.
- 163. Denied.
- 164. Denied.
- 165. Denied.
- 166. Denied.
- 167. Denied.

- 168. Denied.
- 169. Denied.
- 170. Denied.
- 171. Denied.
- 172. No response required.
- 173. Admitted.
- 174. Admitted.
- 175. Denied.
- 176. Denied.
- 177. Denied.
- 178. Denied.
- 179. Denied.
- 180. Denied.
- 181. Denied.
- 182. Denied.
- 183. Denied.
- 184. Denied.
- 185. No response required.
- 186. Admitted.
- 187. Admitted.
- 188. Denied.
- 189. Denied.
- 190. Denied.
- 191. Denied.

192. Denied.

193. Denied.

194. Denied.

195. Denied.

196. Denied.

197. Denied.

198. Denied.

199. Denied.

First Affirmative Defense

Defendant invokes the defenses, protections and limitations of the Fair Labor Standards Act, 29 U.S.C. §201 et seq. (“FLSA”).

Second Affirmative Defense

At all times, Defendant acted in good faith and had reasonable grounds for believing its actions were in compliance with Title VII of the Civil Rights Act of 1964, the Pregnant Workers Fairness Act and the FLSA.

Third Affirmative Defense

Plaintiff is not entitled to punitive/liquidated damages as Defendant did not act or fail to act in a manner sufficient to give rise to punitive/liquidated damages liability. Tenth Affirmative Defense

Fourth Affirmative Defense

To the extent Plaintiff seeks damages not recoverable under the FLSA, Plaintiff is barred from such recovery.

Fifth Affirmative Defense

Without assuming the burden of proof, Defendants complied with all record keeping requirements of the FLSA.

Sixth Affirmative Defense

Defendant's actions were in good faith conformity with all administrative regulations, orders, rulings, approvals, interpretations, or practices of the Department of Labor.

Seventh Affirmative Defense

All actions taken by Defendant with respect to Plaintiff were supported by legitimate business reasons.

Eighth Affirmative Defense

Defendant reserves the right to assert further affirmative defenses as they become evident through discovery investigation.

WHEREFORE, PREMISES CONSIDERED, Defendant prays this answer be deemed good and sufficient and all claims by Plaintiff against Defendant be dismissed, with prejudice, along with such other and further relief, legal and equitable, including attorney's fees, be awarded Defendant.

Dated: August 26, 2025

Respectfully submitted,

/s/ T. Deven Moore (Moo061)

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CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of this Answer was duly served upon counsel noted below via ECF, this 26th day of August, 2026.

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/s/ T. Deven Moore (Moo061)